

## **Recreation Provision For Residential Development** **Adopted October 2001, updated November 2003**

### **Introduction**

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- 1.1** Policy L5 of the Hertsmere Local Plan requires proposals for residential development to make suitable provision for the additional recreational demand that will be created. This requirement is in addition to private gardens for houses and outdoor amenity areas for flats and maisonettes that are provided in accordance with the Council's Residential Development Standards. This guidance note will be a material consideration in the determination of planning applications involving both new build and conversions and will apply equally to dwellings to be built for sale on the open market or to be managed by a Registered Social Landlord.
- 1.2** Whilst this guidance note includes detailed advice on the provision of equipped children's play areas and other related facilities, the Council recognises that recreation covers a broader range of activities and pastimes of both a formal and informal nature. There may be circumstances where the provision of children's play areas will not be considered to be the most appropriate form of recreation for the type of development proposed but in these circumstances the Council will seek to ensure that adequate allowance is made for other recreation facilities.
- 1.3** New development is not required to make good existing deficiencies in open spaces, play areas or formal sports that have been identified in the Leisure, Sport and Recreation Chapter of the Hertsmere Local Plan. However, existing deficiencies should not be made worse nor new deficiencies created as a result of new residential developments failing to make adequate recreational provision for the demand that will be generated by a development.

### **Assessing an Application**

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- 2.1** In determining the type and level of provision that would be most appropriate to the development proposed, the Council will take account of:
  - (a) The need to ensure that sufficient allowance is made for play, sports and general purpose recreation within developments of a suitable size;
  - (b) The estimated level of occupancy of the proposed development;
  - (c) Hertsmere's standard for open space provision;
  - (d) The location and characteristics of the proposed development;
  - (e) The site's proximity to existing recreational facilities;
  - (f) Local circumstances, needs and opportunities;
  - (g) Whether there are any other planning objectives that need to be given priority in the development of the site; and
  - (h) Any other material considerations.
- 2.2** For the purposes of assessing criterion (b), Table 1 sets out the occupancy levels that will be used. These levels are based on the results of the Council's 1999 Housing Needs Survey and represent an up-to-date borough-wide profile of household size.

**Table 1: Occupancy levels (household size), by number of bedrooms**

Size of dwelling proposed	Average Occupancy level
1 bedroom	1.25 persons per dwelling
2 bedroom	2.00 persons per dwelling
3 bedroom	2.70 persons per dwelling
4 bedrooms and over	3.50 persons per dwelling

- 2.3** For the purposes of criterion (c), Hertsmere’s standard for open space provision, as set out in paragraph 3.7 of the Hertsmere Local Plan, is 2.8 hectares per 1000 population and this is broken down into three principal forms as follows:

**Table 2: Standards Of Provision**

Type of provision	Area per 1000 population	Area per person
Children’s Play Area	0.7 hectares	7 sq. metres
General Open Space	0.4 hectares	4 sq. metres
Formal Sports e.g. pitches	1.7 hectares	17 sq. metres

## The Provision of Equipped Play Areas

- 3.1** Subject to the consideration of the criteria set out in paragraph 4 above, the provision of a LEAP (a locally equipped area for play) or a NEAP (a neighbourhood equipped area for play) will be required on sites of a suitable size. Table 3, set out in Appendix A, describes the site thresholds and levels of provision. Detailed specifications for LEAPS and NEAPS are set out in Appendix B of this document. Provision may be either on site or off site, as is considered most appropriate. An amount of general open space will also be required in proportion to the size of development proposed. The provision of, or contributions towards, formal sports will be required in connection with very large developments and also in the circumstances described in paragraph 12.
- 3.2** Developments that would result in an estimated occupancy level of 60 persons or more are considered to be of a suitable size on which to require the provision of equipped play areas, in accordance with the hierarchy set out in Table 3. Developments with an estimated occupancy level of below 60 persons are too small to support the provision of a LEAP and no requirement will therefore apply. However, a requirement will exist if a small development comprises part of a larger phased development that when taken as a whole would exceed the minimum threshold.

## The Provision of Open Space

- 4.1** Where the application of this guidance results in a requirement for the provision of general open space the Council will welcome imaginative and innovative proposals which will result in the provision of a worthwhile recreation asset. The creation of new wildlife habitats or woodlands will be supported in principle. Where sited sufficiently away from residential properties and roads, areas of open space may be suitable for informal games, in which case suitable fencing should surround the area. The Council does not support the provision of small pockets of open space which, because of their limited size would have little practical use or would be in close proximity to residential properties. A requirement will not exist for developments with an estimated occupancy of below 60 persons. As in

the case of equipped play areas a requirement will exist however if a small development comprises part of a larger phased development that when taken as a whole exceeds the minimum threshold.

## **Maintenance and Management Arrangements**

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- 5.1** Future inspection, management and maintenance of equipped play areas and open spaces may be handed over, with agreement, to the Council, their agent or any other body approved by the Council e.g. a Parish or Town Council or a charitable trust, provided a commuted sum is provided to cover the costs of at least a 15 year care and repair programme. Estimates for the cost of initial provision and on-going maintenance of equipped play areas are set out in Appendix B.
- 5.2** Where the Council, their agent or any other body approved by the local authority, do not agree to, or is not required to take on the future inspection, maintenance and management of an equipped play area or open spaces, the developer will be required to demonstrate that alternative, long term, arrangements will be set in place to ensure that equipment, open space and any associated facilities will be maintained and managed to satisfactory standards. Where appropriate, this must include regular safety inspections, including an annual inspection by an organisation such as ROSPA (the Royal Society for the Prevention of Accidents) or NPFA, (the National Playing Fields Association), repairing and replacing equipment, surfacing materials, fences and signs as necessary, painting, removing graffiti, mowing grass and maintaining any associated street furniture or landscaped areas. The applicant/developer may be required to demonstrate that a 'bond' has been set in place to ensure that should the developer's arrangements fail, sufficient monies could be made available to enable the Council to take over the maintenance and management of the play area and open space.

## **Alternative Provision**

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- 6.1** Having considered the criteria set out in paragraph 4, the local planning authority may agree that the provision of equipped children's play areas or open space would not be appropriate to a particular development. There may be instances where the provision of indoor facilities or alternative passive or active outdoor recreational pursuits may be more appropriate, for example in connection with developments composed entirely, or predominantly, of retirement apartments or small flats where family occupation is unlikely to represent the main characteristic of households. However, where the development is of a suitable size i.e. with an estimated occupancy of 60 persons or more, it will still be important to ensure that proposals make adequate provision for the recreational demand the development will create and in these circumstances the Council will require either:
- a contribution towards alternative leisure related facilities or
  - that the developer demonstrates that alternative recreational provision can and will be made.

Should the developer wish to commute the future maintenance and management of an alternative leisure use or facility to the Council, their agent or any other body approved by the Council then adequate resources must be made available to keep such uses and facilities properly maintained and managed.

## **Securing the Provision**

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- 7.1** The provision of recreational facilities or commuted payments and arrangements for future maintenance and management will be secured through the use of planning conditions or planning obligations as appropriate. It is not appropriate to deal with any transfer of interests in land e.g. freehold, leasehold, in a planning obligation. Should the need for such a transfer occur then this will be dealt with under the appropriate legislation.

**Table 3: Hierarchy for the provision of equipped play areas and open space**

Occupancy of development	Requires:
60 to 149 persons where any point of access to the proposed development is not located within 800m walking distance of an existing equipped play area and an area of general open space that have the potential to accommodate the additional demand that will be created	On-site provision of one LEAP to the Council's specification, as set out in Appendix A, and the provision of between 240 – 596 sq.m. of general open space at a rate of 4 sq.m. per person
60 to 149 persons where any point of access to the proposed development is located within 800m walking distance of an existing equipped play area and an area of general open space that have the potential to accommodate the additional demand that will be created	A contribution towards the provision of additional equipment or the upgrading, repair and maintenance of existing equipment and the enhancement of an existing open space. On site provision may be required where a contribution would only meet this requirement in part
150 to 249 persons	On site provision of one NEAP to the Council's specification, as set out in Appendix A, and the provision of between 600 – 996 sq.m. of general open space at a rate of 4 sq.m. per person
250 to 499 persons	On site provision of one NEAP to the Council's specification and the provision of between 1000 – 1996 sq.m of general open space at a rate of 4 sq. m. per person
500 to 749 persons	On site provision of one NEAP to the Council's specification and the provision of between 2000 – 2996 sq.m of general open space at a rate of 4 sq. m. per person
750 to 999 persons	On site provision of one NEAP to the Council's specification and the provision of between 3000 – 3996 sq.m of general open space at a rate of 4 sq. m. per person
1000 persons and above	On site provision of one NEAP to the Council's specification, 3000 sq.m of general open space and the provision of or contribution towards formal sports e.g. pitches, indoor facilities etc.

## Specifications and costs

**Table 4: Specification for the provision of a LEAP**

<b>Locally Equipped Area for Play ( "LEAP" ) Standard Criteria</b>	
1.	Each site must be a minimum area of 400m <sup>2</sup> .
2.	All equipment and facilities must be assessed, by a competent playground inspector, as safe for continued use ( Conforms to BS 5696, DIN 7926 or equivalent European standard EN1176 / EN1177 )
3.	All equipment with a fall height greater than 600mm must have appropriate impact absorbing surfacing.
4.	Each site must have a minimum of five different activities. Multi-play equipment may be counted as having up to three separate activities (e.g. sliding, climbing, rocking, swinging, or social play)
5.	Each site must have a small games area (may be grassed) within the boundary of the playground
6.	Each site must be entirely fenced with self-closing gates.
7.	Each site must have signs excluding dogs.
8.	Each site must be overlooked by housing, pedestrian routes, or other well used public facilities.

**Table 5: Specification for the provision of a NEAP**

<b>Neighbourhood Equipped Area for Play ( "NEAP" ) Standard Criteria</b>	
1.	Each site must be a minimum area of 1000m <sup>2</sup> .
2.	All equipment and facilities must be assessed as safe, by a competent playground inspector, for continued use. (Conforms to BS 5696, DIN 7926 or equivalent European standard EN1176 / EN1177)
3.	All equipment with a fall height greater than 600mm must have appropriate impact absorbing surfacing.
4.	Each site must have a minimum of eight different activities. Multi-play equipment may be counted as having up to three separate activities (e.g. sliding, climbing, rocking, swinging, or social play)
5.	Each site must have a hard surfaced kickabout/skating/cycle play area within the boundary of the playground
6.	Each site must be entirely fenced with self-closing gates.
7.	Each site must have signs excluding dogs.
8.	Each site must be overlooked by housing, pedestrian routes, or other well used public facilities.
<i>The above specifications are as set out by the National Playing Fields Association (NPFA).</i>	

## Supplementary Requirements for both Leaps and Neaps

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In addition to the NPFA specifications set out on the previous page, the Council will require the following criteria to be met:

- (a) Play areas should be designed as an integral part of a development. Care should be taken to ensure that play areas are in visible and safe locations that will be overlooked by housing but not in such close proximity as to give rise to future conflict / nuisance. Depending on the detailed layout of a development a buffer zone may be required around the LEAP or NEAP to minimise any potential for disturbance to nearby residents.
- (b) Equipped play areas should cater for children up to the age of 14.
- (c) Signage must be provided to state who manages the area and that in the event of an emergency the location of the nearest public telephone.
- (d) Associated landscaping should be provided in the interest of visual amenity with trees to provide shade from the sun.
- (e) Impact absorbing surfacing should not be of a loose fill nature.
- (f) In addition to play equipment, seating, bins, cycle racks, directional and safety signs should also be provided.
- (g) The design and layout of a play area and play equipment should facilitate access and the use of equipment for disabled people.
- (h) Standards and items of play equipment shall be agreed in writing with the Local Planning Authority.

\*Note: For further guidance developers are advised to refer to the document "Designing out Crime, Designing in Community Safety" in the early stages of the design process. The document is produced by the Hertfordshire Constabulary and can be obtained by ringing 01707 638033.

## Costs Associated with The Provision and Maintenance of Equipped Play Areas and Open Spaces

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### i) Initial provision

The initial cost of providing a LEAP or a NEAP will vary depending upon the exact type of equipment provided. However, as a guideline the cost of providing a LEAP will generally range from £40,000 to £60,000. The cost of providing a NEAP will generally range from £75,000 to £125,000. (Costs are based on prices at November 2000). The costs associated with the provision of open space will depend upon the choice of materials, extent of landscaping and ancillary structures such as seating and fences.

### ii) Future maintenance payments

Where the Council, their agent or any other body approved by the Council agree to take on the future inspection, maintenance and management of an equipped play area and/or an area of open space, it is essential that adequate resources are made available to keep these areas properly maintained, safe and attractive. The cost of commuting a fifteen year care and repair, inspection, management and maintenance programme for equipped play areas will vary from site to site but as a guideline will generally require a payment of the order set out in Table 6 below. An additional requirement will also exist should the developer wish to commute the future maintenance and management of areas of open space.

**Table 6: Commuted care and repair, inspection, management and maintenance payments of equipped play areas.**

Type of provision	Single payment*
LEAP	£25,000
NEAP	£50,000

\* Payment will be due on the commencement of the development.

Note: On the 24th October 2001 the Council's Environment Committee resolved to adopt this guidance with immediate effect. The Council's Statement of Consultation and the Schedule of Responses to Public Consultation can be obtained from The Planning Unit, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Hertfordshire. WD6 1WA. Telephone No. 020 8207 2277.

The supplementary planning guidance was updated in November 2003 to delete reference to the emerging Local Plan which was adopted in May 2003.